

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 20TH NOVEMBER 2006 / 29TH KARTHIKA 1928

WP(C).No. 25881 of 2006(F)

PETITIONER:

N.V.GEORGE, DEPUTY SUPERINTENDENT
OF POLICE (RTD.), NJATTUMKALAYIL HOUSE,
MUVATTUPUZHA P.O., ERNAKULAM DIST.

BY ADV. SRI RAFFEEKH.K

RESPONDENTS:

1. STATE OF KERALA, REP. BY SECRETARY
TO GOVT., HOME DEPARTMENT, TRIVANDRUM.
2. DIRECTOR GENERAL OF POLICE,
KERALA, TRIVANDRUM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 25881 OF 2006

Dated this the 20th November, 2006.

JUDGMENT

The petitioner has retired from service while working as Deputy Superintendent of Police. His grievance is that despite his eligibility to get terminal benefits from March 2006 onwards, the respondents have not paid the same to him. The main prayer is for a direction to the respondents to issue non-liability certificate to the petitioner forthwith and to disburse the gratuity with 12% interest per annum from 1.3.2006 till payment of the amount. A declaration that the petitioner is entitled to get DCRG with interest is also prayed for.

2. Govt. Pleader on instruction submits that the delay had occasioned to get the legal opinion regarding the scope for filing appeal against the order of acquittal passed by the trial court in a criminal case in which the petitioner was an accused. The legal opinion received by the respondents is to the effect that there is no necessity to file appeal. It is therefore submitted that the terminal benefits due to the petitioner will be disbursed without delay.

3. In the above circumstances there shall be an order directing the respondents to pay the pensionary benefits

including DCRG and commutation value of pension to the petitioner as early as possible, in any event, within six weeks from the date of production of a copy of this judgment along with a copy of the writ petition. Writ petition is allowed as above.

K.K.DENESAN
Judge